

ENVIRONMENTAL IMPROVEMENT BOARD

MINUTES OF THE MAY 8-9, 2003 MEETING

The May meeting of the Environment Improvement Board (EIB) was held at the State Capitol Building in Santa Fe, New Mexico on May 8, 2003. Chair Gay Dillingham called the meeting to order at approximately 9:37 a.m.

Item #1: Roll Call

Members Present: Ms. Gay Dillingham, Chair
Mr. Clifford Stroud, Vice-Chair
Mr. Gregory Green, Secretary
Ms. Gwen Wardwell

Members Absent: Mr. Jeff Thomas
Mr. Harold Tso

Others Present:	Mary Smith, AGO	Geraldine Madrid-Chavez
	Jerry Schoeppner	Anna Richards
	Bruce Nicholson	Andy Berger
	Rita Trujillo	Sherry Miller
	Bill Floyd	George Biggs
	Jennifer Pruett	Richard Goodyear
	Michael Schneider	Dan Girand
	Claudette Horn	Joni Arends
	Ruben Baca	Tom Gray
	Kalvin Martin	Dan Lopez
	Keith Chavez	Joe Goodwin
	Joyce Shearer	

Item #2: Approval of Agenda

ACTION: Mr. Green made a motion to approve the agenda as presented. Ms. Wardwell seconded. Motion carried unanimously.

Item #3: Public Comment Period – 9:30am – 10:00am

Ms. Joni Arends, Concerned Citizens for Nuclear Safety, thanked the Board for moving the meetings back to Santa Fe.

Item #4: Approval of April 11, 2003 meeting minutes

ACTION: Mr. Green made a motion to approve the minutes as presented. Mr. Stroud seconded. Motion carried unanimously.

Item #5: Petition by the Radiation Control Bureau – In the matter of setting for hearing to consider changes to Parts 1, 3, 4, 12, 13 and 15, 20.3 NMAC, New Mexico Radiation Protection Regulations. (EIB 03-03)

Mr. Bill Floyd, Radiation Control Bureau, requested a hearing and estimated the hearing would last four hours.

ACTION: Ms. Wardwell made a motion to set a hearing for August 5, 2003 to consider changes to Parts 1, 3, 4, 12, 13 and 15, 20.3 NMAC, New Mexico Radiation Protection Regulations. Mr. Stroud seconded. Motion carried unanimously

Ms. Wardwell volunteered to sit as hearing officer.

Item #6: Petition by the Environment Department – In the matter of setting for hearing to consider Proposed Regulatory Revisions to the following Air Quality Regulations: 20.2.72 NMAC – Construction Permits. (EIB 03-04)

Ms. Rita Trujillo, Air Quality Bureau, requested that a hearing be set for July 1, 2003 to consider Proposed Regulatory Revisions to the following Air Quality regulations: 20.2.72 NMAC – Construction Permits. Ms. Trujillo stated currently there are two other hearings scheduled for that date and if August 5, 2003 was better for the Board that would be fine with the Bureau.

ACTION: Mr. Stroud made a motion to set a hearing for August 5, 2003 to consider Proposed Regulatory Revisions to the following Air Quality Regulations – 20.2.72 NMAC – Construction Permits. Ms. Wardwell seconded. Motion carried unanimously.

Mr. Stroud volunteered to sit as hearing officer.

Item #7: Presentation by the New Mexico Environment Department's Air Quality Bureau and others on Federal New Source Review Reform.

Ms. Sandra Ely, Bureau Chief of the Air Quality Bureau, gave a brief presentation on the Federal Air Quality Initiatives, which include the following:

- Air Quality Permits
- New Source Review Reform – Background
- Final New Source Review Rules
- Adoption of Final Rules
- Impact to New Mexico
- Proposed New Source Review Rules
- Multi-Pollutant Legislation

Item #8: Decision to consider Proposed Regulatory Revisions to the following Air Quality Regulations: 20.2.77 NMAC & 20.2.82 NMAC. (EIB 02-16)

ACTION: Ms. Wardwell made a motion to go into Closed Executive Session pursuant to 10-15-1(H)(3) to discuss & deliberate on the decision to consider Proposed Regulatory Revision to the following Air Quality Regulations: 20.2.77 NMAC & 20.2.82 NMAC. Mr. Green seconded. A roll call vote was conducted and the results are as follows:

Mr. Green	Yes
Mr. Stroud	Yes
Ms. Wardwell	Yes
Ms. Dillingham	Yes

Motion carried unanimously.

ACTION: Mr. Stroud made a motion to come out of Closed Executive Session. Ms. Wardwell seconded. Motion carried unanimously.

Ms. Dillingham announced the matters discuss in Closed Executive Session were limited to those in the motion to close.

ACTION: Mr. Stroud made a motion to adopt the Proposed Regulatory Revision to 20.2.77 NMAC & 20.2.82 NMAC. Ms. Wardwell seconded. Motion carried unanimously.

Item #9: Hearing on Proposed Amendments to 20.5 NMAC, Parts 1 and 4-8. (EIB 02-17)

A public hearing was held at the New Mexico State Capitol Building in Santa Fe on May 8, 2003 regarding Petition No. EIB 02-17 at approximately 11:00 a.m. In attendance were Mr. Gregory Green, Hearing Officer, and the Board Members listed above. The following Board Members were absent: Mr. Tso & Mr. Thomas. This hearing was transcribed and the record will be in the custody of the Board Administrator. It is available upon request.

May 9, 2003

Roll Call:

Members Present: Ms. Gay Dillingham
Mr. Clifford Stroud
Mr. Gregory Green
Ms. Gwen Wardwell
Members Absent: Mr. Jeff Thomas
Mr. Harold Tso

Public Comment Period – 9:30am – 10:00am

None at this time.

Item #9: Continuation of Hearing on Proposed Amendments to 20.5 NMAC, Parts 1 and 4-8. (EIB 02-17)

Hearing Officer Green announced that the record in this case is now closed.

ACTION: Mr. Stroud made a motion to approve the regulations as proposed in Tabs 1 & 2 with the changes listed in exhibit 24 and the one additional change proposed today to 20.5.7.701, which would add the phrase, “which are considered suspected releases” after the word “conditions” in the first sentence. Ms. Wardwell seconded. A roll call vote was taken and the results are as follows:

Mr. Green	Yes
Ms. Wardwell	Yes
Ms. Dillingham	Yes
Mr. Stroud	Yes

Motion carried unanimously.

Item #10: Other Business

No other business was discussed at this time.

Item #11: Next Meeting

The next meeting of the Environmental Improvement Board will be June 12-13, 2003 in Santa Fe, New Mexico at the State Capitol Building.

Item #12: Adjourn

ACTION: Mr. Stroud made a motion to adjourn. Mr. Green seconded. Motion carried unanimously.